

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALVIN EUSEBIO,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>4/22/2025</u>

ORDER

22 Cr. 522 (GHW)

WHEREAS, the Court entered an Opinion and Order in the above-referenced matter on March 24, 2025, granting Defendant Alvin Eusebio's motion for a partial judgment of acquittal pursuant to Federal Rule of Criminal Procedure 29 (Dkt. 617);

WHEREAS, the United States of America, by and through Matthew Podolsky, Acting United States Attorney, Benjamin M. Burkett, Assistant United States Attorney, of counsel, has requested an extension of the April 23, 2025 deadline by which to file a Notice of Appeal of that Order as required by Federal Rules of Appellate Procedure 4(b)(1)(B)(i) and 26(a)(1)(C) and 18 U.S.C. § 3731;

WHEREAS, Federal Rule of Appellate Procedure 4(b)(4) provides that “[u]pon a finding of excusable neglect or good cause, the district court may—before or after the time has expired, with or without motion and notice—extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b)”;

WHEREAS, the Government requests the extension to enable the Office of the Solicitor General to review the Court's Opinion and Order and determine whether to appeal; and

WHEREAS, the Court finds that the Government has demonstrated good cause to extend the time to file a notice of appeal for 30 days;

IT IS HEREBY ORDERED that the Government's deadline to file a notice of appeal is extended by 30 days, until and including May 23, 2025.

Dated: New York, New York
April 22, 2025


~~HONORABLE~~ GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK